



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/625,991	07/26/2000	Timothy Brown	05156.00012	8490

22909 7590 06/04/2004
BANNER & WITCOFF, LTD.
1001 G STREET, N.W.
WASHINGTON, DC 20001-4597

EXAMINER

MAHMOUDI, HASSAN

ART UNIT	PAPER NUMBER
----------	--------------

2175

DATE MAILED: 06/04/2004

15

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

Office Action Summary

Application No.

09/625,991

Applicant(s)

BROWN, TIMOTHY

Examiner

Tony Mahmoudi

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____


SAM RIMELL
PRIMARY EXAMINER

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's Request for Continued Examination (RCE) submission filed on 19-April-2004 has been entered.

Remarks

2. In response to communications filed on 19-April-2004, claims 1-2 are presently pending in the application.

Specification

3. The specification is objected to because the arrangement of the disclosed application does not conform with 37 CFR 1.77(b).

Section heading appear **boldfaced** and underlined, and in "lowercase letters" throughout the disclosed specification. Section headings should not be underlined and/or **boldfaced**, and

Art Unit: 2175

should be in "UPPERCASE" format. Appropriate corrections are required according to the guidelines provided below:

4. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck et al (U.S. patent No. 6,167,395) in view of Phillips et al (U.S. Patent No. 6,072,994.)

As to claim 1, Beck et al teaches an apparatus (see Abstract) for using a floating pallet (see column 34, lines 32-34, where “floating pallet” is read on “pop-up editing window”) for a system in a plurality of different applications (see column 8, lines 9-24), comprising:

means for creating the floating pallet for the system in one of the plurality of different applications wherein the floating pallet uses the properties and behaviors of a selected application (see column 50, lines 15-19, where “properties and behaviors” is read on “characteristics”); and

means for indicating that a file has been transferred from the system to the selected application (see column ¹¹²lines 63-67, and see column 43, lines 14-29.)

Beck et al does not teach means for creating a single extension plug in to interface with API's of all of the plurality of different applications, wherein the extension plug-in communicates with the digital asset management system.

Phillips et al teaches a digitally programmable system (see Abstract), in which he teaches creating a single extension plug in to interface with API's of all of the plurality of different applications (see column 14, lines 56-67, see column 32, line 65 through column 33, line 2), wherein the extension plug-in communicates (see column 32, line 67 through column 33, line 2, and see column 37, lines 12-58) with the digital asset management system (see column 32, line 36 through column 33, line 2, see column 47, lines 15-21, and see column 50, lines 32-50.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Beck et al to include means for creating a single extension plug in to interface with API's of all of the plurality of different applications, wherein the extension plug-in communicates with the digital asset management system.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Beck et al by the teaching of Phillips et al, because means for creating a single extension plug in to interface with API's of all of the plurality of different applications, wherein the extension plug-in communicates with the digital asset management system, would enable the system to access various components and/or applications within a remote/distributed system via the programming interface for such applications. The use of a single extension plug-in, "reduces common-module overhead to the point where the size of the common RF/IF and digital processing hardware is small enough to place in a single plug-in housing of reasonably small size", as taught by Phillips et al (see column 14, lines 63-67, and see column 32, line 65 through column 33, line 32.)

As to claim 2, Beck et al as modified teaches the apparatus further comprising:

means for using the floating pallets (see Beck et al, column 34, lines 32-34, where “floating pallet” is read on “pop-up editing window”) to request a search (see Becket al, column 4, lines 65-66) of digital assets (see Phillips et al, column 32, line 36 through column 33, line 2, see column 47, lines 15-21, and see column 50, lines 32-50) using user entered search criteria (see Beck et al, column 49, line 66 through column 50, line 5);

means for transferring the search criteria (Beck et al, column 31, lines 4-12) to the digital asset management system through the extension plug-in (see Phillips et al, column 32, line 36 through column 33, line 2, see column 47, lines 15-21, and see column 50, lines 32-50);

means for performing the search (see Beck et al, column 32, lines 38-40) and creating a list of results (see Beck et al, column 32, lines 55-61, and see column 47, lines 45-50);

means for transferring the list of results back to the application through the extension plug-in (see Beck et al, column 33, lines 3-12, and see column 34, lines 52-59); and

means for displaying the list of results in the application (see Beck et al, figure 16, where **researcher 320** is illustrated, and see column 47, lines 43-46.)

Response to Arguments

7. Applicant's arguments filed on 19-April-2004 with respect to the rejected claims in view of the cited references have been fully considered but they are moot in view of the new grounds for rejection.

Art Unit: 2175

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patent is cited to further show the state of art with respect to methods and systems of providing plug-ins in digital asset management, search, and file/data transfer means in general:

U.S. Patent No. 6,202,207 to Donohue, for teaching of "a single extension plug-in", interfacing with multiple applications (see Abstract, and see column 21, lines 5-32.)

9. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (703) 305-4887. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

tm

May 24, 2004



**SAM RIMELL
PRIMARY EXAMINER**